



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
AUGUST 9, 2022  
6:00 PM**

**(1) Pledge** – The Pledge Allegiance was recited.

**(2) Prayer** – Keith Higginbotham offered the prayer.

**(3) Roll Call** - Those Present and answering Roll Call were Mayor Bill Edwards, Keith Higginbotham, Darren Warren, Josie Reed, Misty Elam, Amy Rochette and Justin Cowgur. Those present and not answering Roll Call were City Attorney Brian Rabal, Financial Director Carl Rabey, Finance Assistant Shannon Zappettini, HR Director Jocelyn Diaz, City Engineer Alan Craighead, Police Chief Cody Harper, Fire Chief Matt Thompson, Chief Building Inspector Robert Coffelt, Public Works Director Edgar Barroso, Animal Control Director Cody Wilson and Joshua Price and Jake Barrett from Public Works.

**(4) Council Minutes** –

**Josie Reed made a motion to Approve the Minutes of the July 12, 2022 City Council Meeting, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried.**

**CWSD, Planning, Board of Zoning Adjustments and Parks & Recreation Minutes** –

**Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the June 22, 2022 CWSD Meeting; the June 7, 2022, June 21, 2022 and July 5, 2022 Planning Commission Meetings; the July 5, 2022 Board of Zoning Adjustment Meeting; and the May 9, 2022 Parks & Recreation Advisory Board Meeting, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(5) City and Court Financials** -

Financial Director Carl Rabey addressed the Council, giving the Financial Report for July, with Revenue at 69.10% and Expenses at 45.66%. He also detailed the changes to the amended budget.

Amy Rochette asked for clarification of Holiday Pay in the budget. Shannon Zappettini clarified it for her.

Carl Rabey detailed a proposed agreement with the Salt Group, to look at Sales and Use Tax Recovery, which will come up later in the meeting.

The July Court Report was contained in the Council packets.

Mayor Edwards asked the Council if there were any questions. There were none.

**Keith Higginbotham made a motion to accept the July, 2022 City & Court Financials, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

#### **(6) Department Reports -**

The Department Reports were in the Council Packet.

Mayor Edwards asked the Council if there were any questions. There were none.

#### **(7) Ordinances –**

**Keith Higginbotham made a motion to Read Ordinances 2022-46, 2022-59, 2022-60, 2022-61, 2022-62, 2022-63 and 2022-64; and Resolutions 2022-22, 2022-23, 2022-24 and 2022-25 by Title only, with a 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.**

**Keith Higginbotham made a motion to Suspend the Rule Requiring the Reading on three (3) Separate Occasions for Ordinances 2022-46, 2022-59, 2022-60, 2022-61, 2022-62, 2022-63 and 2022-64, with a 2<sup>nd</sup> from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2022-46 - AN ORDINANCE VACATING A PORTION OF THE SOUTH TEN FEET (10') OF THE TWENTY FIVE FOOT (25') REAR YARD PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED ALONG THE NORTH PROPERTY LINE OF LOT 7 IN THE QUAIL RIDGE SUBDIVISION, CITY OF CENTERTON, AS SHOWN ON PLAT RECORD BOOK 2005 PAGES 746 THRU 748 BENTON COUNTY, ARKANSAS; AKA 1671 WHIPPOORWILL LANE.**

Mayor Edwards addressed the Council, stating that this Ordinance is to vacate 10' of the 25' Utility and Drainage Easements for Lot 7 in the Quail Ridge Subdivision. He said this was tabled at our last Council Meeting, due to concerns from an adjacent property owner. He said City Engineer Alan Craighead contacted the adjacent property owner and that property owner subsequently rescinded his concerns.

Mayor Edwards asked the Council if there were any other questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Misty Elam made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2022-59 - AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2022; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the 2022 City Budget. He stated that the details were covered earlier in the meeting by Financial Director Carl Rabey, and were also contained in the Council packets.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Keith Higginbotham made a motion to adopt the Emergency Clause, with a 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2022-60 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF A 2022 DODGE RAM 2500 FROM SUPERIOR AUTOMOTIVE, SILOAM SPRINGS ARKANSAS FOR THE CENTERTON PARKS DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to waive the bidding requirements to purchase a Dodge Ram 2500 for \$63,620.00, for the Parks Department. He said this is a budgeted item for the Parks Department, including \$2000.00 in funds for any accessories. Josh Price from the Parks Department detailed the needs of the department and the current difficulty of finding vehicles.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Darren Warren made a motion to amend the Ordinance to state "Parks" Department, with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried. Josie**

**Reed made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Darren Warren. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2022-61 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO KIMMEL ROAD VENTURES FROM MEDIUM-HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R3-SF) TO NEIGHBORHOOD COMMERCIAL (C-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone property at the corner of Kimmel Road and Womack Road from (R3-SF) to Neighborhood Commercial (C-3). He said this was recommended for approval by the Planning Commission at their 8/02//2022 meeting, and there were no public comments. A map of the property was provided for Council.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor, except for Justin Cowgur and Amy Rochette, who voted NO, and the motion carried.**

- **Ordinance 2022-62 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, TITLE 13 “PLANNING”, SECTION 13.05.01 TITLED “PLANNING FEE SCHEDULE” .**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the Planning Fee Schedule. He said this was discussed at the 8/02/2022 Planning Commission meeting and was recommended for Council approval. Planning Director Lorene Burns gave details. She said this was mainly brought about due to the hiring of a full-time City Engineer. There was a brief discussion.

Mayor Edwards asked the Council if there were any other questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2022-63 - AN ORDINANCE ACCEPTING THE REPLAT OF LOTS 1A AND 2D, CREATING LOTS 1A-1 AND 2D-1, OF THE WILLOW CROSSING SUBDIVISION PHASE 1, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS; AND ACCEPTANCE OF UTILITY AND DRAINAGE EASEMENT DEDICATIONS THEREOF.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept a Replat of Willow Crossing Phase 1. He said this was recommended for approval by the Planning Commission at their 8/02/2022 meeting. The Plat was provided for Council.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Darren Warren made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor, and the motion carried.**

- **Ordinance 2022-64 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF UP TO 2- 2022 CHEVROLET TAHOES FROM SUPERIOR AUTOMOTIVE, SILOAM SPRINGS ARKANSAS FOR THE CENTERTON POLICE DEPARTMENT.**

Mayor Edwards addressed the Council, requesting their permission to purchase two (2) 2022 Chevrolet Tahoe's for the Police Department.

Police Chief Cody Harper addressed the Council, detailing the difficulty in finding Police Vehicles. He said he was able to find a 2022 Chevrolet Tahoe for \$41,908.00. There was a brief discussion.

Mayor Edwards asked the Council if there were any questions. There were none.

**Keith Higginbotham made a motion to amend the title of the Ordinance to state "Up To 2", as well as Sections 1, 2 and 3, with a 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor. City Attorney Brian Rabal read the Ordinance by title only. Justin Cowgur made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried.**

#### **(8) Resolutions –**

- **Resolution 2022-22 - A RESOLUTION APPROVING AN AGREEMENT OF UNDERSTANDING BETWEEN THE CITY OF CENTERTON, ARKANSAS AND BENTONVILLE SCHOOL DISTRICT #6 TO PARTICIPATE IN THE SCHOOL RESOURCE PROGRAM.**

Mayor Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement with the Bentonville School District #6 to provide a 2<sup>nd</sup> SRO at BWHS. Sgt. Wall was introduced to Council as that SRO. He was selected out of five (5) officers that applied for the position. A copy of the agreement was provided for Council. Police Chief Cody Harper detailed some of the responsibilities and guidelines for the SRO, and answered questions from the Council.

Mayor Edwards asked the Council if there were any other questions. There were none.

**City Attorney Brian Rabal read the Resolution by title only. Josie Reed made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Resolution 2022-23 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATION OF UTILITY EASEMENTS LOCATED ON LOT 6 OF BLISS ORCHARD SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a Public Hearing for 9/13/2022 at 6:00 pm, to discuss the vacation of Utility Easements at Lot 6 of the Bliss Orchard Subdivision.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Resolution 2022-24 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH SALT GROUP OF JONESBORO, ARKANSAS, FOR CONSULTING SERVICES.**

Mayor Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement with Salt Group for an audit of the City's Sales and Use Taxes on payables. Financial Director Carl Rabey detailed the process and the terms of the agreement earlier in the meeting. A copy of the agreement was provided for Council.

Mayor Edwards asked the Council if there were any other questions. There were none.

**City Attorney Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Darren Warren. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Resolution 2022-25 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATION OF ALLEYS LOCATED ON LOT 2D OF WILLOW CROSSING SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a Public Hearing for 9/13/2022 at 6:00 pm, to discuss the vacation of Alleys at Lot 2D of the Willow Crossing Subdivision.

Mayor Edwards asked the Council if there were any questions. There were none.

**City Attorney Brian Rabal read the Resolution by title only. Amy Rochette made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

**(9) Appoint Samantha Hartman and Jacob Whitten to the Parks and Recreation Advisory Board, Term Ending July 31, 2024 –**

Mayor Edwards addressed the Council, asking for their approval to appoint Samantha Hartman and Jacob Whitten to the Parks and Recreation Advisory Board, Term Ending July 31, 2024. He said this is to fill the two (2) openings on the Board.

**Darren Warren made a motion to appoint Samantha Hartman and Jacob Whitten to the Parks and Recreation Advisory Board, Term Ending July 31, 2024, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

**(10) Request to combine two (2) Seasonal Parks Positions into a Full-Time Parks Maintenance Position –**

Mayor Edwards addressed the Council, asking for their approval to combine two (2) Seasonal Parks Positions into a Full-Time Maintenance Position. There was a brief discussion.

**Keith Higginbotham made a motion to combine two (2) Seasonal Parks Positions into a Full-Time Parks Maintenance Position with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(11) Request to change Custodian Position to Full-Time –**

Mayor Edwards addressed the Council, asking for their approval to change the Custodian position for the City Hall, Court and Police buildings, as well as the Community Room to full-time, at \$15.00/hr.

**Amy Rochette made a motion to change the Custodian Position to Full-Time at \$15.00/hr., with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(12) Request to change Parks Supervisor Position to Parks Superintendent and Street Superintendent to a Salary Position –**

Mayor Edwards addressed the Council, asking for their approval to change the Parks Supervisor Position to Parks Superintendent and to also change the Street Superintendent to a Salary Position.

Director of Public Works Edgar Barroso addressed the Council, detailing the requests, including added responsibilities.

Justin Cowgur asked where the two positions currently fall in the Salary Range from the Salary Study. Barroso said this will place them mid-range.

**Keith Higginbotham made a motion to change the Parks Supervisor Position to Parks Superintendent, at an annual salary of \$58,000.00; and to change the Street Superintendent to a Salary Position at \$62,000.00 annually, with a 2<sup>nd</sup> from Darren Warren. All Council Members voted in favor and the motion carried.**

**(13) Request to Hire a Full-Time Police Officer –**

Mayor Edwards addressed the Council, asking for their approval to hire a Full-Time Police Officer to backfill the position opened by the SRO position being filled.

Police Chief Cody Harper answered questions from Council.

**Josie Reed made a motion to hire a Full-Time Police Officer, with a 2<sup>nd</sup> from Amy Rochette. All Council Members voted in favor and the motion carried.**

**(14) Public Comments –**

- **Wendy Henson- 368 N. B Street** – Mrs. Henson asked for an update on the American Rescue Funds, as a representative of Centerton Cares. Mayor Edwards stated that no money has been distributed to Non-Profits, and the only funds that have been distributed, is to Centerton Utilities. He said a decision is planned to be made by the end of the year. Amy Rochette said it was discussed in our last Work Session. Mayor Edwards said it will also be discussed at the 8/23/2022 Work Session. He said he will e-mail applicants with an update. He said he last updated them by e-mail on 6/29/2022.

**No action was taken by Council.**

- **Leandra Cleveland- 490 Allen Road (property owner)** – Mrs. Cleveland addressed the Council, expressing concern will not being able to work on this property, due to issues with it being in a Flood Zone, along with items that have been missed along the way. She expressed concern with limited communication from the Planning Department. Planning Director Lorene Burns said she and the CEI Engineer have e-mailed Mrs. Cleveland with a timeline, and a formal letter was sent by the Department of Agriculture. Burns said they



are working on a plan for moving forward. Mrs. Cleveland said the State has been involved all along.

**No action was taken by Council.**

**(15) Other Business –**

- **Alan Craighead- City Engineer** – Mr. Craighead stated that we have started the process for acquiring 20' of ROW on the Steepro Drive extension. He said we are trying to make a connection to Hwy 102 and detailed the challenges.

**No action was taken by Council.**

- **Matt Thompson- Fire Chief** – Mr. Thompson gave an update on Northwest Ambulance ending their service contract early (1/30/2023). He said we are looking at prices for providing our own ambulance service. He said we also put out RFQ's with Benton County and other the affected communities, which are due back 9/06/2022. He said he will have more information to share at the 8/23/2022 Work Session.

**No action was taken by Council.**

**(16) Announcements -**

- **8/12/2022 – Settlement Conference @ 9:00 AM**
- **8/16/2022 – Planning Commission Meeting @ 6:00 PM**
- **8/23/2022 – Work Session @ 6:00 PM**
- **9/06/2022 - Planning Commission Meeting @ 6:00 PM**
- **9/10/2022 – Centerton Day – All Day**
- **9/13/2022 – City Council Meeting @ 6:00 PM**

**(17) Adjourn -**

**Keith Higginbotham made a motion to Adjourn at 8:16 PM with a 2<sup>nd</sup> from Amy Rochette. All Council members voted in favor and the motion carried.**

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Bill Edwards, Mayor

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Todd Wright, City Clerk